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MEMORANDUM ENDORSEMENT

United States of America v. Village of Airmont,

20-cv-10121 (NSR)

The Court has received a proposed consent order from Defendant Village of Airmont (“Defendant”) and Plaintiff (“Government”), dated March 15, 2021, resolving the substance of Government’s partially briefed motion for preliminary injunction. (ECF No. 33.) Earlier today, the Court So-Ordered the Parties’ Consent Order. Separately, the Court had previously denied without prejudice Defendant’s letter motion requesting a briefing schedule for their motion to dismiss, held Defendant’s deadline to respond to the Complaint in abeyance pending resolution of the preliminary injunction motion, and advised Defendant that it might (if colorable) renew its letter motion after the Court had resolved the Government’s motion for preliminary injunction. (ECF No. 13.)

As the motion for preliminary injunction has been resolved, Defendant’s deadline to answer or otherwise respond to the Government’s Complaint is now April 14, 2021. To the extent that Defendant intends to respond through motion practice, it may seek to renew its letter motion requesting a conference to discuss a briefing schedule for a motion to dismiss on, or before, April 14, 2021. To be clear, this Memorandum Endorsement does not grant Defendant leave to file a motion to dismiss.

The Clerk of the Court is respectfully directed to terminate the motion at ECF No. 25.

Dated: March 15, 2021
White Plains, NY

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Nelson S. Román", is written over a horizontal line.

Nelson S. Román, U.S.D.J.